

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

**VS.**

RAFAL MISTRZAK,

Defendants.

Cr. No. 05-1849 JH

ORDER

THIS MATTER having come before the Court on the United States' motion to dismiss Count 1 of the superseding indictment as to defendant RAFAL MISTRZAK, without prejudice, and the Court being fully advised in the premises, FINDS that the motion is well-taken and should be granted.

NOW, THEREFORE, IT IS HEREBY ORDERED that Count 1 of the superseding indictment in this case is hereby dismissed as to defendant RAFAL MISTRZAK, without prejudice.

  
JUDITH C. HERRERA  
UNITED STATES DISTRICT JUDGE